

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE

03-0-1511

AN ORDINANCE TO APPROVE THE USE OF TRAFFIC CONTROL SIGNAL MONITORING DEVICES WITHIN THE CITY LIMITS; TO AMEND CHAPTER 150, ARTICLE III, GENERAL RULES OF VEHICLE OPERATION, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, TO ADD NEW SECTIONS REGARDING IMPOSITION OF A CIVIL MONETARY PENALTY FOR VIOLATIONS OF RED TRAFFIC SIGNALS EVIDENCED BY RECORDED IMAGES PRODUCED BY A TRAFFIC CONTROL SIGNAL MONITORING DEVICE, INSTALLATION OF REQUIRED SIGNS TO PROVIDE NOTICE OF THE USE OF SUCH DEVICES, AND PREPARATION OF A REPORT REGARDING SUCH USE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in the public health, safety, and welfare of its citizens and visitors; and

WHEREAS, violations of red light signals frequently cause serious traffic accidents involving personal injury and property damage in the City of Atlanta; and

WHEREAS, the promotion of compliance at signalized intersections is critical to efforts by the Atlanta Police Department to reduce traffic accidents in the City of Atlanta; and

WHEREAS, the Georgia Uniform Rules of the Road have been adopted by the City of Atlanta as the traffic regulations of this city pursuant to Atlanta City Code section 150-2; and

WHEREAS, Georgia law provides that the driver of a motor vehicle shall be liable for a civil monetary penalty of not more than \$70.00 if such vehicle is found, as evidenced by recorded images produced by a traffic-control signal monitoring device, to have been operated in disregard or disobedience of a circular red or red arrow signal not otherwise authorized by law; and

WHEREAS, Georgia law defines the term "traffic control signal monitoring device" as a device with one or more motor vehicle sensors working in conjunction with a traffic-control signal to produce recorded images of motor vehicles being operated in disregard or disobedience of a circular red or red arrow signal; and

WHEREAS, Georgia law requires a municipal governing authority to conduct a public hearing on the proposed use of traffic-control signal monitoring devices prior to such use; and

WHEREAS, Georgia law provides that, in order for any municipal law enforcement agency to use traffic-control signal monitoring devices, the chief law enforcement officer of such municipality must desire the use of such devices and such use must be approved by the governing authority of the municipality; and

WHEREAS, the Chief of the Atlanta Police Department desires to use traffic-control signal monitoring devices within the City limits in order to reduce the number of traffic accidents and injuries at monitored intersections; and

WHEREAS, a violation of operating a motor vehicle in disobedience of a circular red or red arrow traffic control signal that is recorded by a traffic-control signal monitoring device shall not be used for any insurance purposes; is not considered a moving traffic violation for the purpose of points assessment, and shall result in the imposition of a civil monetary penalty that is not a conviction and shall not be made part of the driver's operating record; and

WHEREAS, in order to use traffic-control signal monitoring devices, the City of Atlanta must submit an annual report on use of each such device to the Governor, the Lieutenant Governor and the Speaker of the House.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION ONE: Pursuant to O.C.G.A. § 40-14-21(a), the City of Atlanta elects to use traffic-control signal monitoring devices within the jurisdictional limits of the City of Atlanta as contemplated by O.C.G.A. § 40-6-20(f).

SECTION TWO: That Chapter 150, Article III, General Rules of Vehicle Operation, of the Code of Ordinances of the City of Atlanta, be amended to add a new section 150-66 as follows:

Section 150-66. Use of Traffic-Control Signal Monitoring Devices; Penalty.

- (a) The City of Atlanta elects to use traffic-control signal monitoring devices within the jurisdictional limits of the city as provided by O.C.G.A. § 40-6-20(f).
- (b) The driver of a motor vehicle shall be liable for a civil monetary penalty in the amount of \$70.00 per violation if such motor vehicle is found, as evidenced by recorded images produced by a traffic-control signal monitoring device, to have been operated within the city limits in disregard or disobedience of a circular red or red arrow signal in violation of O.C.G.A. § 40-6-20(a).

SECTION THREE. That Chapter 150, Article III, General Rules of Vehicle Operation, of the Code of Ordinances of the City of Atlanta, be amended to add a new section 150-67 as follows:

Section 150-67. Signage Required for Use of Traffic-Control Signal Monitoring Devices.

- (a) The Department of Public Works shall erect signs on every highway that comprises a part of the state highway system at that point on the highway which intersects the jurisdictional limits of the city.
- (b) The Department of Public Works shall erect a sign on each public road on the approach to the next traffic-control signal for such road when a traffic-control device is monitoring such next signal for such road.
- (c) Such signs shall be at least 30 inches by 30 inches in measurement and shall warn motorists that traffic-control signal monitoring devices are being employed.

SECTION FOUR. That Chapter 150, Article III, General Rules of Vehicle Operation, of the Code of Ordinances of the City of Atlanta, be amended to add a new section 150-68 as follows:

Sec. 150-68. Reporting of traffic-control signal monitoring device use.

The Chief of Police or his or her designee shall submit not later than February 1 of each year a report on traffic-control signal monitoring device use during the preceding calendar year to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Mayor, the Members of City Council, the Director of the Department of Public Works, the Solicitor of the City Court of Atlanta, and the Chief Judge of the City Court of Atlanta. Such report shall include:

- (i) a description of the locations where the traffic-control signal monitoring devices were used;
- (ii) the number of violations recorded at each location and in the aggregate on a monthly basis;
- (iii) the total number of citations issued;
- (iv) the number of fines and total amount of fines paid after citation without contest;
- (v) the number of violations adjudicated and results of such adjudications, including a breakdown of dispositions made;
- (vi) the total amount of fines paid; and
- (vii) the quality of the adjudication process and its results.

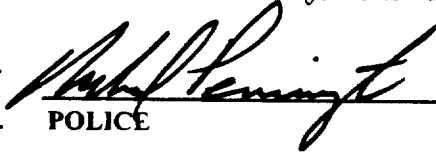
TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office:

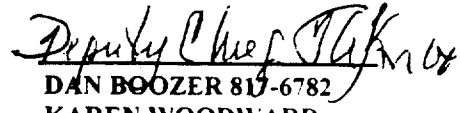
Mr. Gregory Pridgeon

(for review and distribution to Executive Management)

Chief of Police Signature



Deputy Chief Signature:



From: Originating Dept.

POLICE

Contact (Name):

DAN BOOZER 817-6782
KAREN WOODWARD
330-6400

Committee(s) of Purview:

PUBLIC SAFETY & LEGAL
ADMINISTRATION

Committee Deadline:

Committee Meeting

Date(s):

City Council Meeting

Date:

CAPTION:

AN ORDINANCE BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO APPROVE THE USE OF TRAFFIC CONTROL DEVICES WITHIN THE CITY LIMITS; TO AMEND CHAPTER 150, ARTICLE III, GENERAL RULES OF VEHICLE OPERATION, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, TO ADD NEW SECTIONS REGARDING IMPOSITION OF A CIVIL MONETARY PENALTY FOR VIOLATIONS OF RED TRAFFIC SIGNALS EVIDENCED BY RECORDED IMAGES PRODUCED BY A TRAFFIC CONTROL SIGNAL MONITORING DEVICE, INSTALLATION OF REQUIRED SIGNS TO PROVIDE NOTICE OF THE USE OF SUCH DEVICES, AND PREPARATION OF A REPORT REGARDING SUCH USE, AND OR OTHER PURPOSES.

BACKGROUND/PURPOSE/DISCUSSION:

THE ATLANTA POLICE DEPARTMENT IS ELIGIBLE FOR A SUBGRANT FROM THE GEORGIA DEPARTMENT OF TRANSPORTATION TO FUND INSTALLATION OF TEST EQUIPMENT TO EVALUATE THE POTENTIAL USE OF CAMERA DEVICES TO ENFORCE RED LIGHT VIOLATIONS THE PROPOSED ORDINANCE WOULD ENABLE THE POLICE DEPARTMENT TO MAKE USE OF SUCH A DEVICE AND ASSURE THE CITY'S ELIGIBILITY FOR THE GRANT.

FINANCIAL IMPACT (if any):


NONE.

PERSONNEL IMPACT:

NONE.

Mayor's Staff Only

Received by Mayor's Office (Date):

9.18.03 

Reviewed (Initials):



Date:

Action by Committee:

____ APPROVED ____ ADVERSED ____ HELD ____ AMENDED
____ SUBSTITUTE ____ REFERRED ____ OTHER